

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 76

By: Senator B. Johnson
By: Representative Steimel

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING MISCELLANEOUS
PROHIBITED PRACTICES UNDER THE ARKANSAS INSURANCE
CODE; TO CLARIFY FEES COLLECTED BY CERTAIN BROKERS;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING
MISCELLANEOUS PROHIBITED PRACTICES UNDER
THE ARKANSAS INSURANCE CODE; AND TO
CLARIFY FEES COLLECTED BY CERTAIN
BROKERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 23-66-310(c), concerning excess fees charged for insurance by a licensed property or casualty agent or broker, is amended to read as follows:

(c)(1) Nothing shall prohibit a ~~duly~~ licensed property or casualty agent or broker or surplus lines broker from charging a fee to the insured in addition to the premium properly charged for a policy or contract according to the insurer's rate and rule filings with the State Insurance Department, provided that:

~~(1)(A)~~ Each ~~such~~ fee is separately disclosed on the invoice or billing statement mailed or delivered to the insured; and

~~(2)(B)(i)~~ The aggregate sum of the fees and all producers' commissions or other compensation due and owing for that policy or contract does not exceed twenty percent (20%) of the total gross premium charged the



insured by the insurer for that policy or contract.

(ii) If a licensed property or casualty agent or broker refers a risk to a surplus lines broker licensed under § 23-65-308, then subdivision (c)(1)(B)(i) of this section does not apply.

(2) The fee under subdivision (c)(1) of this section shall be reasonable in relation to the cost of underwriting, issuing, and processing the policy or contract.

APPROVED: 2/6/25